

STILLWATER COUNTY COMMISSIONERS MINUTES

Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder (MCA 7-4-2611(2)(b)).

REGULAR MEETING NOVEMBER 1, 2016

Present: Commissioners Dennis Shupak, Chair; Maureen Davey and Gerald W. Dell, Members; Lori Dobitz, Administrative Assistant.

Others Present: Mark Schreiner, Road and Bridge Superintendent; Randy Werdal, Road Foreman; Joe Morse, Finance; Lee Cornell, Justice of Peace; Jerry Friend, Treasurer; Sheriff Clifford Brophy; Nancy Rohde, County Attorney; Coralee Hicks, citizen; and Marlo Pronovost, Stillwater County News.

Open Meeting: Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.

Minute Approval: Commissioner Davey **MOVED** to approve the minutes of August 16, August 23, and the Preliminary Budget hearing held on August 23, 2016. Commissioner Dell **SECONDED**. Motion passed unanimously.

- Regular Business:**
1. Resolution 2016- 35 - Commissioner Dell read the proposed resolution to amend the Extension Budget a total additional budget authority of \$5,399 for Fund No. 2290 for Fiscal Year 2017. Commissioner Dell **MOVED** to adopt **Resolution 2016-35** as presented. Commissioner Davey **SECONDED**. Motion passed unanimously. Document No. 366866 filed with the Clerk and Recorder.
 2. Resolution 2016- 36 - Commissioner Davey read the proposed resolution to amend the General Fund Budget a total additional budget authority of \$261,800 for Fund No. 1000. Commissioner Dell **MOVED** to adopt **Resolution 2016-36** as presented. Commissioner Davey **SECONDED**. Joe Morse explained that these items didn't make it into the budget process. Morse said the funding would come out of the cash reserves. Motion passed unanimously. Document No. 366867 filed with the Clerk and Recorder.
 3. Resolution 2016- 37 - Metal Mines License Tax (MMLT)- Distribution - First 6-months of 2016. Commissioner Dell read the proposed resolution. Stillwater County received proceed of the MMLT from the MT DOR for the Nye Mine in the amount of \$259,298.32 with 40% distributed to the Hard Rock Trust and 60% distributed allocated to affected schools and county planning as defined in accordance with Section 15-37-117 MCA. The total amount distributed from the Nye Mine are \$51,859.14 to the High

Schools and \$51,859.14 to the Elementary schools. Commissioner Davey **MOVED** to adopt Resolution 2016-37 correcting the distribution period to the First 6 Months of 2016. Commissioner Dell **SECONDED**. Joe Morse explained the distribution takes into account a correction the Department of Revenue withheld out of the payment as they overpaid on the last distribution making these amounts lesser than normal. Motion passed unanimously. Document No. 366868 filed with the Clerk and Recorder.

4. Resolution 2016- 38 - County Office Space Options

Commissioner Davey stated two possible choices are in front of the Commission today in resolution form.

1. Draft Resolution (1) - Commissioner Davey read the first proposed resolution whereas the county will move forward with Option 3, a new County Complex on a new site and commit the County to the funding which may include General Obligation Tax-Exempt Bonds. She stated this resolution is one of two to be considered.
2. Draft Resolution (2) - Commissioner Dell read the second proposed resolution whereas the county supports the preservation of the courthouse for future county use and take the recommendation from the 22nd Judicial District Judge and the Stillwater County Sheriff's Office to not include these offices in the remodel of the old hospital building and move forward with Option 1 to remodel the old hospital for county offices excluding all criminal justice offices which includes the courtroom, Clerk of District Court, Sheriff's Office, Justice of the Peace, District Court Judge, County Attorney, Victim Witness, Adult/Juvenile Probation and Alternatives will remain where they presently are.

Commissioner Davey **MOVED** to adopt the Draft Resolution 2016-38 as read by Commissioner Dell - moving forward with Option 1 excluding all criminal justice offices. Commissioner Dell **SECONDED**.

Discussion: Commissioner Davey stated the chronological whereas's help her make the decision for moving forward with the new hospital. It was one of the biggest decisions she said she had to make to commit almost 1.5 million of county funds to pay-off the hospital bonds in order for the community of Columbus to have a new hospital and to keep the assisted living which is connected to the old hospital building. She said going through this process that took several years, the county hired an Architect firm and further moved on to look for other combinations/options as encouraged by the public and county officials. She said as the resolution states the feelings of the law and justice and also the feelings of the public and this old courthouse. Commissioner Dell said all of those factors

weighed very heavily on his decision to vote for the way that it went. Jerry Friend, Treasurer, gave the Commissioners kudos for doing something. He said in 2002, a community advisory committee spent 6 months with the then sitting commissioners looking at options. At that time, he said, it was the advisory committee's recommendation was to go to the voters to see if the people wanted a new courthouse. No action was taken by the commissioners then. Commissioner Davey said a study was conducted in 2002 and at that time she was on the planning board and also part of that discussion. The Commissioners did not make a decision to move either way, and she doesn't think there is any obligation right now to go this way or that way. She said it is part of the Commissioners duty to make these tough decisions.

Lee Cornell, Justice of the Peace, said he has no issue with the option the commission has decided. In the option the commission is choosing, is there any consideration towards ADA compliance in the courthouse. Commissioner Davey said a lot of ADA accommodations have been made, but there is a lot more to make. She said taking one step at a time and coming back to this building (courthouse) and going through another process for the courthouse to see how we can still use it - will be addressed.

Nancy Rohde, County Attorney, said she is glad to see the Commission making a decision and in moving forward with a public proclamation. She said the commission still gets to make a decision regardless of what public opinion is. You make it, and then county will move forward as to what needs to go forward from there, she said. Commission Davey said we are the ones that sit in these chairs and we are out in the public all the time. Davey stated she has heard quite often that we (county) own this building, lets utilize that. Although they did not come to the most recent hearing, part of our job is to listen to all people, and out in the public, that is what she heard. Commissioner Dell agreed stating he too has been approached in public about the use of the old hospital building. Commissioner Shupak stated during the first hearing held in 2011, those in attendance expressed using the building for county offices. Commissioner Davey stated she recalled they were in support of paying off the hospital bonds and part of the discussion was to use the building for county offices and no one at that time objected.

She went on to say that Sweet Grass County remodeled their old hospital, very same era, to accommodate their county offices.

Vote: Commissioner Shupak called for a vote. Motion passed unanimously. Document No. 366868 filed with the Clerk and Recorder

5. Resolution - 2016- 39 - Commissioner Dell read Resolution 2016-39, a resolution ordering the abandonment of a portion of Park Street in the unincorporated town of Reed Point, Montana, described as beginning at the intersection of First Ave. S thence south approximately 100 feet and ending at the intersection of the State of Montana right-of-way and Park Street as petitioned by Joan Beck, et al. Commissioner Davey **MOVED** to grant the petition and abandon that portion of Park Street as described above. Commissioner Dell **SECONDED**. Commissioner Davey said the results of the investigation were reviewed and the petition has merit. Motion passed unanimously.

File items:

1. Department of Commerce - Community Development Block Grant (CDBG) Program - evaluation of applications for funding calendar year 2016.

SECONDED.

Commissioner Dell **MOVED** to place the file items to file. Commissioner Davey
Motion passed unanimously.

Public Comments: None heard.

Meeting Adjourned: Hearing no further business, Commissioner Dell adjourned the meeting at 9:44 AM